

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

AMERICAN SALES & MANAGEMENT)
ORGANIZATION, LLC d/b/a)
EULEN AMERICA,)

Petitioner,)

v.)

Case No. 18-1342

NATIONAL LABOR RELATIONS)
BOARD,)

Respondent.)

CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES

The Petitioner, American Sales & Management Organization, LLC, d/b/a Eulen America, by and through undersigned counsel, hereby submits this certificate as to parties, rulings, and related cases in accordance with Circuit Rule 28.

(A) Parties and Amici.

Petitioner

The Petitioner in this matter is American Sales & Management Organization, LLC, d/b/a Eulen America.

Respondent

The Respondent in this matter is the National Labor Relations Board (“NLRB”).

Intervenors

The Petitioner is currently aware that the Services Employees International Union, Local 32BJ (“Local 32BJ”), has filed a motion for leave to intervene.

Amici

The Petitioner is currently unaware of any Amici.

(B) Rulings Under Review.

The ruling under review in this proceeding is the NLRB’s Decision and Order entered on December 4, 2018 (NLRB Case 12-CA-163435), which held that the Petitioner is not under the jurisdiction of the Railway Labor Act because it is not directly or indirectly controlled by an airline carrier.

(C) Related Cases.

The case on review has not previously been before this Court or any other court.

Dated: **January 29, 2019.**

Respectfully submitted,

/s/ Brian Koji

Brian Koji

Florida Bar No. 0116297

bkoji@anblaw.com

ALLEN NORTON & BLUE, P.A.

Hyde Park Plaza – Suite 225

324 South Hyde Park Avenue

Tampa, Florida 33606-4127

Ph: (813) 251-1210

Fax: (813) 253-2006

Counsel for the Petitioner

Jason S. Miller

Florida Bar No. 118336

jmiller@anblaw.com

ALLEN NORTON & BLUE, P.A.

121 Majorca Ave. Suite 300

Coral Gables, Florida 33134

Ph: (305) 445-7801

Fax: (305) 442-1578

Counsel for the Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on January 29, 2019, I electronically filed the foregoing document with the Clerk for the United States Court of Appeals for the District of Columbia Circuit using CM/ECF. I also certify that the foregoing document is being served this 29th day of January 2019 on all counsel of record and individuals identified on the Service List in the manner specified, either via transmission of Notice of Electronic Filing generated by CM/ECF, via electronic mail, or in some other authorized manner for those counsel or individuals who are not authorized to receive electronically Notices of Electronic Filing.

/s/ Brian Koji**Attorney****SERVICE LIST****David Habenstreit**

National Labor Relations Board

1015 14th Street, SE

Washington, DC 20570

Ph: (202) 273-2960

Fax: (202) 273-0191

appellatecourt@nrlrb.gov

Counsel for the Respondent

Amy Ginn

National Labor Relations Board

1015 14th Street, SE

Washington, DC 20570

Ph: (202) 273-2942

Fax: (202) 273-0191
amy.ginn@nlrb.gov
Counsel for the Respondent

Milakshmi Rajapakse
National Labor Relations Board
1015 14th Street, SE
Washington, DC 20570
Ph: (202) 273-2914
Fax: (202) 273-0191
milakshmi.rajapakse@nlrb.gov
Counsel for the Respondent

Jessica D. Ochs
Associate General Counsel
SEIU Local 32BJ
25 West 18th Street
New York, NY 10011
Ph: (212) 539-2976
JOchs@seiu32bj.org
Counsel for the Movant-Intervenor for the Respondent

Brian Koji
Florida Bar No. 0116297
bkoji@anblaw.com
ALLEN NORTON & BLUE, P.A.
Hyde Park Plaza -- Suite 225
324 South Hyde Park Avenue
Tampa, Florida 33606
Ph: (813) 251-1210
Fax: (813) 253-2006
Counsel for the Petitioner

Jason S. Miller
Florida Bar No. 118336
jmiller@anblaw.com
ALLEN NORTON & BLUE, P.A.
121 Majorca Ave., Suite 300
Coral Gables, Florida 33134
Ph: (305) 445 7801

Fax: (305) 442-1578
Counsel for the Petitioner